

House File 523 - Introduced

HOUSE FILE 523

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A BILL FOR

1 An Act relating to the conduct of elections.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 48A.27, subsection 4, paragraph c,
2 subparagraph (2), Code 2023, is amended to read as follows:

3 (2) The notice shall contain a statement in substantially
4 the following form:

5 Information received from the United States postal service
6 indicates that you are no longer a resident of, and therefore
7 not eligible to vote in (name of county) County, Iowa. If this
8 information is not correct, and you still live in (name of
9 county) County, please complete and mail the attached postage
10 paid card at least fifteen days before any election at which
11 you wish to vote. If the information is correct and you have
12 moved, please contact a local official in your new area for
13 assistance in registering there. If you do not mail in the
14 card, you may be required to show identification before being
15 allowed to vote in (name of county) County. ~~If you do not
16 return the card, and you do not vote in an election in (name
17 of county) County, Iowa, on or before (date of second general
18 election following the date of the notice) your name will be
19 removed from the list of voters in that county.~~

20 Sec. 2. Section 48A.29, subsection 1, paragraph b, Code
21 2023, is amended to read as follows:

22 b. The notice shall contain a statement in substantially the
23 following form:

24 Information received from the United States postal service
25 indicates that you are no longer a resident of (residence
26 address) in (name of county) County, Iowa. If this information
27 is not correct, and you still live in (name of county) County,
28 please complete and mail the attached postage paid card at
29 least fifteen days before any election at which you wish to
30 vote. If the information is correct, and you have moved,
31 please contact a local official in your new area for assistance
32 in registering there. If you do not mail in the card, you may
33 be required to show identification before being allowed to vote
34 in (name of county) County. ~~If you do not return the card, and
35 you do not vote in some election in (name of county) County,~~

1 ~~Iowa, on or before (date of second general election following~~
2 ~~the date of the notice) your name will be removed from the list~~
3 ~~of voters in that county.~~

4 Sec. 3. Section 48A.29, subsection 3, paragraph b, Code
5 2023, is amended to read as follows:

6 b. The notice shall contain a statement in substantially the
7 following form:

8 Information received by this office indicates that you are no
9 longer a resident of (residence address) in (name of county)
10 County, Iowa. If the information is not correct, and you still
11 live at that address, please complete and mail the attached
12 postage paid card at least fifteen days before any election at
13 which you wish to vote. If the information is correct, and you
14 have moved within the county, you may update your registration
15 by listing your new address on the card and mailing it back.
16 If you have moved outside the county, please contact a local
17 official in your new area for assistance in registering there.
18 If you do not mail in the card, you may be required to show
19 identification before being allowed to vote in (name of county)
20 County. ~~If you do not return the card, and you do not vote in~~
21 ~~some election in (name of county) County, Iowa, on or before~~
22 ~~(date of second general election following the date of the~~
23 ~~notice) your name will be removed from the list of registered~~
24 ~~voters in that county.~~

25 Sec. 4. Section 48A.30, subsection 1, paragraph g, Code
26 2023, is amended by striking the paragraph.

27 Sec. 5. Section 48A.30, subsection 2, Code 2023, is amended
28 to read as follows:

29 2. When a registration is canceled pursuant to subsection
30 1, paragraph ~~"d"~~, or ~~"e"~~, or ~~"g"~~, the commissioner shall send a
31 notice of the cancellation to the registered voter.

32 Sec. 6. Section 49.73, subsection 2, paragraph a, Code 2023,
33 is amended to read as follows:

34 a. All polling places where the candidates of or any public
35 question submitted by any one political subdivision are being

1 voted upon shall be opened at the same hour. The hours at which
2 the respective precinct polling places are to open shall not
3 be changed after publication of the notice required by section
4 49.53. The polling places shall be closed at ~~8:00~~ 9:00 p.m.
5 for all elections.

6 Sec. 7. Section 49.78, subsection 2, paragraph a, Code 2023,
7 is amended by adding the following new subparagraphs:

- 8 NEW SUBPARAGRAPH. (6) A social security card.
9 NEW SUBPARAGRAPH. (7) A birth certificate.
10 NEW SUBPARAGRAPH. (8) A document for receiving public
11 assistance.
12 NEW SUBPARAGRAPH. (9) A supplemental nutrition assistance
13 program card.
14 NEW SUBPARAGRAPH. (10) A Medicare or Medicaid card.
15 NEW SUBPARAGRAPH. (11) A hunting or fishing license.
16 NEW SUBPARAGRAPH. (12) A university or college
17 identification card.
18 NEW SUBPARAGRAPH. (13) A government or other employer
19 identification card.
20 NEW SUBPARAGRAPH. (14) A paycheck.
21 NEW SUBPARAGRAPH. (15) A debit or credit card.
22 NEW SUBPARAGRAPH. (16) A utility bill in print or
23 electronic format.
24 NEW SUBPARAGRAPH. (17) Any other form of identification
25 approved by the Iowa state association of county auditors.

26 Sec. 8. Section 53.8, subsection 1, paragraph a, unnumbered
27 paragraph 1, Code 2023, is amended to read as follows:

28 Upon receipt of an application for an absentee ballot
29 and immediately after the absentee ballots are printed, but
30 not more than ~~twenty~~ forty days before the election, the
31 commissioner shall mail an absentee ballot to the applicant
32 within twenty-four hours, except as otherwise provided in
33 subsection 3. The absentee ballot shall be sent to the
34 registered voter by one of the following methods:

35 Sec. 9. Section 53.8, subsection 2, paragraph a, Code 2023,

1 is amended to read as follows:

2 *a.* The commissioner shall enclose with the absentee ballot
3 a statement informing the applicant that the sealed return
4 envelope may be mailed to the commissioner by the registered
5 voter or a person not prohibited to collect and deliver a
6 completed ballot pursuant to [section 53.33](#), may be returned to
7 a drop box established by the commissioner pursuant to section
8 53.17, subsection 1, by the registered voter or a person not
9 prohibited to collect and deliver a completed ballot pursuant
10 to [section 53.33](#), only if the commissioner has established
11 such a drop box, or may be personally delivered to the
12 commissioner's office by the registered voter or a person not
13 prohibited to collect and deliver a completed ballot pursuant
14 to [section 53.33](#). The statement shall also inform the voter
15 that the voter ~~may request~~ must require that the person not
16 prohibited to collect and deliver a completed ballot pursuant
17 to [section 53.33](#) complete a receipt when retrieving the ballot
18 from the voter. A blank receipt shall be enclosed with the
19 absentee ballot.

20 Sec. 10. Section 53.10, subsection 1, Code 2023, is amended
21 to read as follows:

22 1. Not more than ~~twenty~~ forty days before the date of the
23 primary election or the general election, the commissioner
24 shall provide facilities for absentee voting in person at the
25 commissioner's office. This service shall also be provided
26 for other elections as soon as the ballots are ready, but in
27 no case shall absentee ballots be available under [this section](#)
28 more than ~~twenty~~ forty days before an election.

29 Sec. 11. Section 53.11, subsection 1, paragraphs a and b,
30 Code 2023, are amended to read as follows:

31 *a.* Not more than ~~twenty~~ forty days before the date of
32 an election, satellite absentee voting stations may be
33 established throughout the cities and county at the direction
34 of the commissioner and shall be established upon receipt
35 of a petition signed by not less than one hundred eligible

1 electors requesting that a satellite absentee voting station
2 be established at a location to be described on the petition.
3 The commissioner shall establish a satellite absentee voting
4 station on the Saturday before an election at a public building
5 where members of the public commonly gather. However, if a
6 special election is scheduled in the county on a date that
7 falls between the date of the regular city election and the
8 date of the city runoff election, the commissioner is not
9 required to establish a satellite absentee voting station for
10 the city runoff election.

11 *b.* A satellite absentee voting station established by
12 petition must be open at least one day for a minimum of six
13 hours ~~and~~. A satellite absentee voting station established at
14 the direction of the commissioner or by petition may remain
15 open until 5:00 p.m. on the day before the election.

16 Sec. 12. Section 53.17, subsection 1, paragraph b, Code
17 2023, is amended to read as follows:

18 *b.* The sealed return envelope may be mailed to the
19 commissioner by the registered voter or by the voter's
20 designee. If mailed by the voter's designee, the envelope must
21 be mailed within seventy-two hours of retrieving it from the
22 voter or within time to have the postal service barcode traced
23 to a date of entry into the federal mail system not later than
24 the day before the election, as provided in section 53.17A,
25 whichever is earlier.

26 Sec. 13. Section 53.17, subsection 1, paragraph c,
27 subparagraph (1), Code 2023, is amended to read as follows:

28 (1) A commissioner ~~shall not may~~ establish ~~more than one~~
29 ~~ballot drop box, which shall be located at the office of~~
30 ~~the commissioner, or on property owned and maintained by the~~
31 ~~county that directly surrounds the building where the office~~
32 ~~is located. For the purposes of this subparagraph, "office of~~
33 ~~the commissioner"~~ means a location where a voter may receive
34 ~~services pursuant to section 48A.17, 50.20, 53.10, or 53.18~~ any
35 number of ballot drop boxes, except that a commissioner in a

1 county with a population of at twenty-five thousand or more
2 shall establish at least one ballot drop box per twenty-five
3 thousand people.

4 Sec. 14. Section 53.17, subsection 2, Code 2023, is amended
5 to read as follows:

6 2. In order for the ballot to be counted, the return
7 envelope must be received in the commissioner's office before
8 the polls close on election day or bear a postal service
9 barcode traceable to a date of entry into the federal mail
10 system not later than the day before the election, as provided
11 in section 53.17A, and received by the commissioner not later
12 than noon on the Monday following the election.

13 Sec. 15. Section 53.17, subsection 4, unnumbered paragraph
14 1, Code 2023, is amended to read as follows:

15 When a person designated by the voter retrieves a completed
16 absentee ballot from the voter, the designee shall, ~~upon~~
17 ~~request of the voter,~~ fill out a receipt to be retained by
18 the voter. The state commissioner shall prescribe a form
19 for receipts required by [this subsection](#). The receipt shall
20 include all of the following:

21 Sec. 16. Section 53.17, subsection 4, paragraph f, Code
22 2023, is amended to read as follows:

23 *f.* A statement that the completed absentee ballot will
24 be delivered to the commissioner's office within seventy-two
25 hours of retrieving it from the voter or before the closing of
26 the polls on election day, whichever is earlier, or that the
27 completed absentee ballot will be mailed to the commissioner
28 within seventy-two hours of retrieving it from the voter or
29 within time to have the postal service barcode traced to a date
30 of entry into the federal mail system not later than the day
31 before the election, as provided in section 53.17A, whichever
32 is earlier.

33 Sec. 17. Section 53.33, subsection 1, paragraph a, Code
34 2023, is amended to read as follows:

35 *a.* "*Delivery agent*" means an individual ~~registered to vote~~

1 ~~in this state~~ who has been designated to return a completed
2 absentee ballot to the commissioner by ~~another~~ a registered
3 voter ~~who is unable to return the registered voter's own~~
4 ~~absentee ballot due to reason of blindness or other disability.~~
5 "*Delivery agent*" does not include ~~the registered voter's~~
6 ~~employer, an agent of the registered voter's employer, an~~
7 ~~officer or agent of the registered voter's union, or a person~~
8 ~~acting as an actual or implied agent for a political party~~
9 ~~as defined in [section 43.2](#), or a candidate or committee, as~~
10 defined in [section 68A.102](#).

11 Sec. 18. Section 53.33, subsections 2 and 3, Code 2023, are
12 amended to read as follows:

13 2. No person other than the registered voter, an individual
14 who lives in the same household as the registered voter, an
15 immediate family member of the registered voter, an individual
16 acting in accordance with [section 53.22](#), or a delivery agent
17 acting on behalf of a registered voter ~~who is unable to return~~
18 ~~the registered voter's own ballot due to reason of blindness or~~
19 ~~other disability~~, shall collect and return a completed absentee
20 ballot.

21 3. A registered voter ~~who is unable to return the registered~~
22 ~~voter's own completed absentee ballot due to reason of~~
23 ~~blindness or any physical disability other than intoxication~~
24 may designate a delivery agent to return the registered voter's
25 completed absentee ballot. ~~The registered voter shall complete~~
26 ~~and sign a designation of delivery agent form prescribed by the~~
27 ~~state commissioner prior to surrendering a ballot to a delivery~~
28 ~~agent.~~

29 Sec. 19. Section 53.33, subsections 4, 6, and 7, Code 2023,
30 are amended by striking the subsections.

31 Sec. 20. NEW SECTION. 914.8 Restoration of rights to vote
32 and hold office.

33 1. The governor shall immediately restore the rights to
34 vote and hold office to a person who forfeited those rights
35 by conviction of an infamous crime, except for a violation of

1 chapter 707, and who has discharged the person's sentence for
2 all infamous crimes of which the person was convicted.

3 2. For the purposes of this section, a person has
4 discharged the person's sentence upon completion of any term
5 of confinement, parole, probation, or other supervised release
6 and the completion of any special sentence imposed pursuant to
7 chapter 903B.

8 3. This section does not prohibit a person from submitting
9 an application for the restoration of the rights of citizenship
10 pursuant to section 914.2.

11

EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to the conduct of elections. The bill
15 strikes a provision canceling a voter's voter registration
16 if the voter has been marked inactive and not voted in two
17 consecutive general elections. The bill changes the closing
18 time of the polls for all elections from 8:00 p.m. to 9:00 p.m.
19 and adds documents to the list of documents that may be used
20 by a voter to establish the voter's identity when casting a
21 ballot.

22 The bill changes the first day on which absentee ballots
23 may be cast from 20 days before an election to 40 days before
24 an election. The bill allows an absentee voter to designate
25 any person to return an absentee ballot on behalf of the voter
26 so long as the voter requires the person to leave a receipt
27 with the voter. The bill strikes various provisions relating
28 to a delivery agent for a voter's absentee ballot, including
29 the limit on the number of ballots returned, the requirement
30 to deliver in person, and the requirement to sign a statement
31 under penalty of perjury. The bill does not strike the
32 prohibition on a candidate returning an absentee ballot on
33 behalf of a voter.

34 The bill allows a county commissioner of elections to
35 establish absentee voting stations without first receiving a

1 petition and requires a county commissioner of elections to
2 establish an absentee voting station on the Saturday before
3 an election at a public building where members of the public
4 commonly gather. The bill also allows a county commissioner
5 of elections to establish any number of absentee ballot drop
6 boxes, except that a county commissioner of elections in a
7 county with a population of at least 25,000 must establish at
8 least one absentee ballot drop box per 25,000 people.

9 The bill changes the deadline by which an absentee ballot
10 must be received in the office of the county commissioner of
11 elections from the time the polls close on election day to noon
12 on the Monday following the election, provided that an absentee
13 ballot received after the time the polls close bears a postal
14 service barcode traced to a date of entry into the federal mail
15 system not later than the day before the election.

16 The bill requires the governor to immediately restore the
17 rights to vote and hold office to a person who forfeited
18 those rights by conviction of an infamous crime, except for a
19 violation of Code chapter 707 (homicide and related crimes),
20 and who has discharged the person's sentence for all infamous
21 crimes of which the person was convicted. A person has
22 discharged a person's sentence upon completion of any term of
23 confinement, parole, probation, or other supervised release
24 and the completion of any special sentence imposed pursuant
25 to Code chapter 903B (sex offender special sentencing and
26 hormone treatment). The bill does not prohibit a person from
27 submitting an application for the restoration of citizenship
28 rights.